

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	
Modification of Parts 2 and 15 of the	)	ET Docket No. 03-201
Commission's Rules for Unlicensed devices	)	
and equipment approval.	)	

**REPLY COMMENTS OF THE INFORMATION TECHNOLOGY INDUSTRY  
COUNCIL**

The Information Technology Industry Council (ITI) wishes to respond to comments filed by Sirius Satellite in the above proceeding. ITI has reviewed the comments filed by Sirius Satellite and wishes to address their comments on out of band emissions. The ITI view on this subject has been previously discussed with the Commission and ITI believes that no new information has been submitted by Sirius to address this question of out of band emissions for Part 15.

The scope of this Notice of Public Rulemaking (NPRM) was to address specific streamlining issues under Part 2 and Part 15 of the rules. The alternate proposal by Sirius neither provides any cost savings nor suggests any streamlining of the Part 15 rules, and in fact has potentially the opposite effect, by requiring additional testing and unnecessary modification to existing Part 15 devices. Therefore we believe the request for changes to out of band emission limits is out of context with the NPRM and is not in the best interests of consumers or industry.

In reviewing the Commission record on this issue, there appear evidence to support dismissing the proposal. In fact, the Commission specifically addressed this issue in the 2<sup>nd</sup> Report and Order on 99-231, which dismissed this proposal. The Commission record

stated that no change in the limits was justified and that any future action would have to be addressed on a case-by-case basis addressing specific interference issues. Further the Commission stated that no proposed changes would be done until sufficient information was available to review. The comments as filed did not fulfill the request of the Commission on this subject.

In fact, the record demonstrates the opposite; Satellite Digital Audio Radio Systems (SDARs) have been installed for quite some time, and there are to date no reported and verified cases of Part 15 device interference with SDAR systems. Currently SDARs are even being installed, with no reports of interference, in newer vehicles equipped with 2.4 GHz Bluetooth devices for hands free cell phones<sup>1</sup>. Further, the SDARs own advertising refute their claim to interference<sup>3</sup> by clearly showing SDARs receivers being used in a modern office with Part 15 devices operating in close proximity.

ITI questions the critical need for the lower emission limits for the SDARs service. The Commission has stated in previous rulings that the out of band emission limits were more than adequate to protect other services including emergency and public safety services. Therefore the emission limits should be more than adequate to protect an entertainment service such as this.

If the current Sirius proposal were to be adopted it would have a very costly and detrimental effect on the Part 15 community, including to both consumers and manufacturers alike. Consumer costs would be driven up by the need to re-engineer equipment to conform to the tighter guidelines, not to mention the costs and burden placed on retrofitting equipment already in the field. We re-iterate, there is no evidence

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<sup>1</sup> Though not publicly on the market, there have been no reported cases of interference in any of the automotive tech journals.

<sup>2</sup> Though not publicly on the market, there have been no reported cases of interference in any of the automotive tech journals.

<sup>3</sup> Current advertising of SDARs for home or office does not have any disclaimers stating that the SDAR will not work in a wireless office.

in either the public record or the scientific community to support changing the requirements to protect SDARs.

As there is no public record of interference, and since the Commission itself has previously stated that the out of band emission levels are adequate, ITI asks the Commission to dismiss the comments filed by Sirius as they pertain to the out of band emission limits.